

RECEIVED  
EINGEGANGEN

11 SEP. 2007

TBK - PATENT

**Fax**

Addressee:

TBK-Patent  
z. Hd. Frau Popp  
Bavariaring 4-6  
80336 München

Fax no.:

0049/ 89/ 544 692 90

Number  
of pages:

10

European Patent Office  
Postbus 5818  
2280 HV Rijswijk  
Netherlands

Dir. 1238  
Directorate 1238

Michael Bohner  
Examiner

Tel. +31 (0)70 340 - 8821  
mbohner@epo.org

Date: 11.09.2007

Re: Application No. 01110493.2  
Applicant: Canon Kabushiki Kaisha  
Your Reference: (EP30349)

In response to the letter dated 20.08.2007 and in preparation of the oral proceedings scheduled for 21.09.2007, a preliminary opinion of the examining division on the claims currently on file is provided as an annex to this communication. The scheduled date for the oral proceedings is maintained.

  
Bohner, M  
Examiner

**Preliminary opinion of the examining division**

Reference is made to the following documents:

- D1: Miller, Paul: MERCHANTISE RETURNS: USPS eases 'e-turns', Multichannel Merchant, [Online] 1 December 1999 (1999-12-01), Retrieved from the Internet: URL:[http://multichannelmerchant.com/catalogage/mag/marketing\\_merchandise\\_returns\\_usps/](http://multichannelmerchant.com/catalogage/mag/marketing_merchandise_returns_usps/) [retrieved on 2005-05-30]
- D2: Linthicum, David: Enterprise Application Integration, Chapter 8, Transactional Middleware and EAI, pages 141-159, Addison Wesley Professional, 12 November 1999 (1999-11-12), ISBN: 0-201-61583-5, online available under: <http://proquest.safaribooksonline.com/0201615835> [retrieved on 2007-09-06]

A copy of document D2 (6 pages) is annexed to this communication.

**1.) Article 123(2) EPC**

A new set of claims, replacing the previous claims, has been submitted with letter dating 20.06.2007.

The amendments contained in this claim set seem not to introduce subject-matter which extends beyond the content of the application as filed. They are therefore considered to comply with the provisions of Article 123(2) EPC.

**2.) Article 56 EPC**

The amended claims do however not appear to involve an inventive activity for the reasons given below. The date for the oral proceedings is therefore maintained.

- 2.1 Document D1, which is considered the closest prior art, discloses an information processing system for receiving a request to collect a product, comprising: a receiver arranged to receive information on a request for collecting including information on kind and quantity of the product (see second paragraph; marketer web server) which is transmitted from a computer of a client connected via the Internet (see second paragraph, client input over Website); a generator, arranged to generate a collecting code (see second paragraph, marketer application transmitting return label) which is to be recorded to a collecting slip and includes information on the kind and quantity of the product based on the information on the request for collecting received by the receiver (see second and fourth paragraph, return label containing packaging information); a recognizing unit, arranged to recognize an individual collection request, in accordance with a user's selection (see second paragraph, marketer application processing user input over Website), and a transmitter, arranged to transmit the collecting code generated by the generator to the computer such that the computer is enabled to generate the collecting slip on the basis of the collecting code, when the recognizing unit recognizes an individual collection request (see second paragraph, transmission of return label using web applications for customer printout).
- 2.2 The following technical difference can be found between the definition of claim 1 and

the disclosure of document D1: Claim 1 defines that the server-side of the information processing system consists of a web server and an application server, whereby the application server carries out the processing steps of the business logic. Document D1 does not mention a specific server-side architecture.

The division however notes that web application architectures using a web server as a data exchange interface to the web and a dedicated application server for the execution of the business logic were well-known in the field of web-based enterprise information systems at the date of priority and supported by a multitude of commercially available enterprise solutions such as the Netscape Application Server, the IBM Websphere application server or the Oracle Internet Application Server. When implementing a system as disclosed in document D1, the programmer or implementation expert would apply this common architecture with its known advantages, such as improved scalability, without the use of inventive skills. Reference is made to the text book citation D2, in case there should be any doubt about the common knowledge with regard to such distributed application architectures in the field of web application development at the date of priority.

- 2.3 Apart from this technical difference, the following differences can be established, which relate to business or organisational measures: The collected products are consumables which were used by a printer and lump-sum collections are foreseen, in which case the collection slip is printed in the collection centre.

These features however relate to a method of doing business and are therefore not taken into account in the assessment of inventive step in the sense of Article 56 EPC. The programmer or implementation expert would receive knowledge of the business-related aspects of the information processing apparatus as part of the requirements specification. The implementation of the constraints imposed by these business aspects may include technical considerations such as programming of the server in order to distinguish different collection methods selected by the user and the provision of a printer in the collection centre. These are however straightforward implementational measures for the person skilled in the art of data processing. A technical teaching going beyond the mere automation of the business aspects using conventional hardware and programming methods is not apparent.

- 2.4 Concerning the present type of collected product, namely consumables which were used by a printer, it is also noted that the system of document D1 is obviously suitable to collect such products. There is no technical interrelation between the collection system and the type of collected product apparent which might provide a basis for an inventive step.
- 2.5 The dependent claims do not appear to contain subject-matter which either taken alone or in combination could form a basis for an inventive step in the sense of Article 56 EPC:
- 2.6 The feature of generating a collecting code for each product (claim 2 of application) is regarded as a straightforward implementational choice which does not involve an inventive step. The use of a reader to read collecting information from the collecting slip and automated processing of this information in the collection system (claim 3 of application, see fourth paragraph in D1, scanning of the return label) and the provision of a screen as a user interface (claim 4 of application, see second paragraph in D1, input over Website) are known from document D1. Use of login

procedures (claim 5 of application) is a routine measure in web application programming which is not considered inventive in the present context.

- 2.7 The feature of providing incentive schemes relating to the collection process (claims 3, 6 and 7 of application) is of business nature and does therefore not contribute to an inventive step. The implementation of these business features may include technical considerations such as the use of a database table or the programming of output screens. These are however measures of routine work for the skilled person which do not involve an inventive activity.
- 2.8 The subject-matter of claims 8-14 corresponds to that of claims 1-7 in method terms. Claim 15 relates to a computer program product carrying out the method. The objections raised in respect of claims 1-7 apply to claims 8-15 accordingly.
- 2.9 Regarding further amendments as announced in the letter dated 20.08.2007, the applicant should be aware that such amendments will only be allowed into the procedure at the examining division's discretion (Rule 86(3) EPC).